

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

OSCAR OSWALDO GONZALEZ-  
CASTILLO,

Petitioner,

v.

MERRICK GARLAND,<sup>1</sup> et al.

Respondents.

Case No. 2:21-cv-00140-KJD-EJY

**ORDER**

This is a habeas corpus action under 28 U.S.C. § 2241. Petitioner has paid the filing fee. The court has reviewed the petition under Rules 1(b) and 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The court will serve the petition upon respondents for a response.

Petitioner also has submitted a motion for appointment of counsel. Having reviewed the petition, the court finds that appointment of counsel is not warranted.

IT THEREFORE IS ORDERED that the clerk of the court file the petition for a writ of habeas corpus and the motion for appointment of counsel, currently in the docket at ECF No. 1-1 and ECF No. 1-2, respectively.

IT FURTHER IS ORDERED that:

---

<sup>1</sup> A substitution under Rule 25(d) of the Federal Rules of Civil Procedure.

- 1       1. The Clerk of Court shall SEND VIA REGISTERED OR CERTIFIED MAIL a copy of the  
2       petition and this order to the following:
  - 3           a. The Hon. Merrick Garland, Acting Attorney General of the United States,  
4               Department of Justice, 950 Pennsylvania Ave. NW, Washington, D.C. 20530.
  - 5           b. The Hon. Alejandro Mayorkas, Acting Secretary of the United States Department  
6               of Homeland Security, Washington, D.C. 20528.
- 7       2. The United States Marshal is instructed to SERVE a copy of the petition and this order on  
8       the United States Attorney for the District of Nevada or on an Assistant United States  
9       Attorney or clerical employee designated by the United States Attorney pursuant to Rule  
10      4(i)(1)(A) of the Federal Rules of Civil Procedure.
- 11     3. Respondents will have 21 days from the date of service to file and serve an answer or  
12      otherwise respond to the petition.
- 13     4. If respondents file an answer to the petition, petitioner will have 14 days to file a reply to  
14      the answer. If respondents file a motion to dismiss instead of an answer, the parties will  
15      brief the motion in accordance with LR 7-2 and 7-3 of the Local Rules of Practice.
- 16     5. Respondents must file all exhibits relevant to their response, in chronological order.
- 17     6. All exhibits must be filed in accordance with LR IA 10-3 and LR IC 2-2 and include a  
18      separate index identifying each exhibit by number or letter. The index must be filed in  
19      CM/ECF's document upload screen as the base document to receive the base docket  
20      number (e.g., ECF No. 10). Each exhibit must then be filed as an "attachment" to the base  
21      document—the index—to receive a sequenced sub-docket number (e.g., Exhibit A (ECF  
22      No. 10-1), Exhibit B (ECF No. 10-2), Exhibit C (ECF No. 10-3), and so forth). If the  
23      exhibits will span more than one filing, the base document in each successive filing must  
24      be either a copy of the index or volume cover page. See LR IC 2-2(a)(3)(A).
- 25     7. For this case, NO PAPER COURTESY COPIES are required.

26       IT FURTHER IS ORDERED that petitioner's motion for appointment of counsel is  
27      **DENIED.**

1 IT FURTHER IS ORDERED that pursuant to Rule 25(d) of the Federal Rules of Civil  
2 Procedure, the clerk of the court is directed to substitute Merrick Garland for respondent Monty  
3 Wilkinson.

4 DATED: April 22, 2021



---

KENT J. DAWSON  
United States District Judge